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Attorneys for DUMAKA HAMMOND

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	NO. 16-102-JD
)	
Plaintiff,)	JOINT STATUS UPDATE CONCERNING
)	PRODUCTION OF THE NIT SOURCE
v.)	CODE
)	
DUMAKA HAMMOND,)	Date: September 8, 2016
)	Time: 10:30 a.m.
Defendant.)	
)	
)	
)	

Mr. Hammond is charged in a one count indictment with possession of child pornography in violation of 18 U.S.C. § 2252(a)(4)(B). This case is one of a number of cases pending in federal courts throughout the country involving the FBI's use of a "Network Investigative Technique" ("NIT") to investigate individuals accessing child pornography over the Tor network.

Mr. Hammond has filed a number of pretrial motions according to two agreed upon briefing schedules set by the parties entered on May 16 and June 9, 2016. At one point, Mr. Hammond contemplated filing a motion to compel discovery of the NIT source code but ultimately did not file a motion as the government agreed to produce discovery which may moot the motion.

On July 15, 2016 the Court signed a stipulated protective order concerning discovery NIT discovery and the government has since produced the contemplated discovery to Mr. Hammond. A defense expert has been retained to review the discovery produced by the government and should be

1 reviewing the code shortly. Thus, as of the date of this filing—the deadline for Mr. Hammond’s
2 pretrial motions—it is unknown whether Mr. Hammond will need to file a motion to compel
3 discovery related to the NIT source code. Should the defense feel the government’s production is
4 incomplete or needs to be supplemented, the parties will meet and confer regarding the defense’s
5 concerns. If the parties are unable to reach an agreement, Mr. Hammond will file a motion to compel
6 discovery according to an agreed upon briefing schedule submitted for review to the Court.

7
8 DATED: August 4, 2016

/S/
HANNI M. FAKHOURY
Assistant Federal Public Defender

9
10
11 DATED: August 4, 2016

/S/
THOMAS R. GREEN
Assistant United States Attorney